

1FW



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

PETITION TO WITHDRAW HOLDING OF ABANDONMENT

APPLICANT:	Axel vom Endt	GROUP ART UNIT: 2862
SERIAL NO.:	10/785,447	EXAMINER: Bru B. Shrivastav
FILED:	February 24, 2004	CONFIRMATION NO.: 8503
TITLE:	"GRADIENT COIL FOR MRT AND METHOD FOR MAKING SAME"	

MAIL STOP PETITION

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

S I R:

The above-referenced application was held to be abandoned in a Notice of Abandonment dated September 8, 2006. The reason for the holding of abandonment was a statement that no reply was received to the Office Letter mailed on December 29, 2005. A review of PAIR for this application indicates that there was no letter mailed on December 29, 2005 in connection with this application, however, a Notice of Informal or Non-Response Amendment was mailed on December 30, 2005, and since this was the last communication from the Patent and Trademark Office prior to the abandonment, Applicant assumes that this was the communication for which allegedly no response was received at the Patent and Trademark Office.

On January 16, 2006, Applicant did file a Response to Notice of Non-Compliant Amendment, and this was received at the Patent and Trademark Office on January 18, 2006. A copy of that Response and a copy of the return postcard with a date stamped thereon indicating receipt at the Patent and Trademark Office on January 18, 2006 are attached hereto.

As stated in that Response, the original Notice of Non-Compliant Amendment was erroneously sent. The Notice of Non-Compliant Amendment stated that the drawings attached to the Response filed on December 19, 2005 were not identified as "Replacement Sheet". As stated in the aforementioned Response, as could easily have been ascertained, if Applicant's Response had actually been read, the drawing attached to the Response filed December 19, 2005 was not intended as an application drawing, but was an Exhibit used to explain and illustrate Applicant's arguments in support of patentability. This could easily have been ascertained by a very quick review of Applicant's Response, wherein no drawing amendment whatsoever was indicated.

Therefore, there was no need to designate the drawing as a Replacement Sheet, and therefore the Notice of Non-Compliance Amendment was erroneously sent. This error has now been compounded by the failure to properly docket Applicant's timely filed Response, which resulted in the aforementioned Notice of Abandonment.

Restoration of the application to active status and preparation of a Response to Applicant's timely filed Response to the September 17, 2005 Office Action are therefore respectfully requested.

Submitted by,

 (Reg. 28,982)

SCHIFF, HARDIN LLP

CUSTOMER NO. 26574

Patent Department

6600 Sears Tower

233 South Wacker Drive

Chicago, Illinois 60606

Telephone: 312/258-5790

Attorneys for Applicant.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on November 6, 2006.


STEVEN H. NOLL

CH1\ 4747200.1



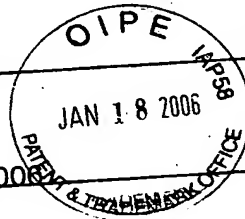
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MAIL STOP AMENDMENT **R**

HON. COMMISSIONER OF PATENTS & TRADEMARKS
WASHINGTON, D.C. 20231

SIR:
PLEASE APPLY A RECEIPT STAMP HERETO AND MAIL TO
ACKNOWLEDGE RECEIPT OF THE ATTACHED:

Axel vom Endt
APPLICANT



RESPONSE TO NOTICE OF NON-
COMPLIANT AMENDMENT
(TYPE OF DOCUMENT)

January 16, 2006
MAILING DATE

USSN 10/785 447 P04,0026
REFERENCE NUMBER

1/30/06
26965-31120 SHN
SCHIFF HARDIN & WAITE



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
RESPONSE TO NOTICE OF NON-COMPLIANT AMENDMENT

COPY

APPLICANT: Axel vom Endt GROUP ART UNIT: 2862
SERIAL NO.: 10/785,447 EXAMINER: Bru B. Shrivastav
FILED: February 24, 2004 CONFIRMATION NO.: 8503
TITLE: "GRADIENT COIL FOR MRT AND METHOD FOR MAKING
SAME"

MAIL STOP AMENDMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, Virginia 22313-1450

S I R:

A Notice of Non-Compliant Amendment was mailed on December 30, 2005 stating that the drawing that was attached to the Response filed December 19, 2005 was not identified as a "Replacement Sheet". This is correct, because as could easily have been ascertained if Applicant's Response had been actually read, it would have been readily apparent that the attached drawing is not intended as an application drawing, but is merely an exhibit used to explain and illustrate Applicant's arguments in support of patentability. This could easily have been ascertained by a very quick review of Applicant's response, wherein no drawing amendment whatsoever was indicated.

There is no need to designate the drawing as a replacement sheet, and therefore early reconsideration of the application is respectfully requested.

Submitted by,

Steven H. Noll (Reg. 28,982)

SCHIFF, HARDIN LLP
CUSTOMER NO. 26574
Patent Department
6600 Sears Tower
233 South Wacker Drive
Chicago, Illinois 60606
Telephone: 312/258-5790
Attorneys for Applicant.

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450 on January 16, 2006.

Steven H. Noll

STEVEN H. NOLL